



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

MAILED

AUG 13 2008

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DOCKET FILE COPY ORIGINAL

FCC MAIL ROOM

DA 08-1889

Released: August 11, 2008

COMMENTS INVITED ON APPLICATION OF LOW COUNTRY CARRIERS, INC. D/B/A HARGRAY LONG DISTANCE TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 08-159
Comp. Pol. File No. 879

Comments Due: August 26, 2008

Section 214 Application

Applicant: Low Country Carriers, Inc. d/b/a Hargray Long Distance

On July 3, 2008, Low Country Carriers, Inc. d/b/a Hargray Long Distance (Hargray or Applicant), located at 856 William Hilton Parkway, Bldg. C, P.O. Box 5986, Hilton Head Island, SC 29938, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in portions of South Carolina. By an amendment filed July 18, 2008, Hargray corrected certain deficiencies in its initial application and updated the record regarding notice to customers.¹ Accordingly, Hargray's application is deemed complete as of July 18, 2008.

Hargray indicates that it currently provides domestic local and long distance services to customers in South Carolina. Hargray states, however, that it provides out of territory long distance services using 3rd party switching and transport services, and that its provider plans to take the existing switch out of service and cease offering switching and transport services. Hargray asserts that it therefore will be technically unable to continue to provide long distance service without significant network enhancements in areas where it does not also provide local service. Hargray further asserts that continuing to provide stand alone long distance service would force it to set rates at a level that would be uneconomical for its customers. Consequently, Hargray states that it intends to discontinue providing long distance service in the South Carolina communities of Beaufort, Burton, Columbia, Early Branch, Fripp Island, Hampton, Lady's Island, Laurel Bay, Okatie, Port Royal, Ridgeland, Saint Helena Island, Seabrook, and Tillman (South Carolina Communities). According to Hargray, the anticipated date for the proposed discontinuance is August 1, 2008, or as soon thereafter as the necessary state and federal authorizations have been obtained. Hargray indicates that, between June 27, 2008 and July 1, 2008, it sent notices to inform affected customers of its plans to discontinue service. Hargray further indicates that, as of July 18, 2008, it subsequently sent letters with language in compliance with section 63.71(a) of

¹ This amendment was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on August 4, 2008.

the Commission's rules. Hargray asserts that it is considered non-dominant with respect to the service to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Hargray's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Hargray that the grant will not be automatically effective. In Hargray's application, Hargray indicates that it anticipates discontinuing service on or after August 1, 2008, upon completion of obtaining all necessary federal and state regulatory approvals. Accordingly, pursuant to section 63.71(c) and the terms of Hargray's application, absent further Commission action, Hargray may terminate its domestic long distance telephone service in the South Carolina Communities on or after **September 11, 2008**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **August 26, 2008**. Such comments should refer to **WC Docket No. 08-159 and Comp. Pol. File No. 879**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Heather Hendrickson, (202) 418-7295 (voice), heather.hendrickson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

- FCC -